

### REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to this patent application are as follows. Claims 9 to 12 have been cancelled. The Specification has been amended on Page 1 in order to cancel any reference to "Patent Claim 1" in line 2 and in line 14 on Page 1.

Because claims 9 to 12 have been cancelled, it is firmly believed that the formal objections under 35 U.S.C. 112 have now been overcome. Withdrawal of these formal objections to the Specification and to the claims is respectfully requested.

Newly added claims 13 to 19 are discussed as follows.

New Claim 13: This new claim 13 differentiates from the *Pittel U.S. Patent No. 5,861,050* prior art reference. In addition, claim 13 is more precise so that now claim 13 does not recite phase change limits but is directed to phase change temperatures. In addition, at the first characteristic after the

comma, several phase change materials are claimed which always have different, i.e. individual phase change temperatures. The third characteristic after the comma of claim 13 can be seen from page 7, last paragraph of the Specification, so that this limitation is supported.

New Claim 14: The new claim 14 corresponds substantially to original claim 10. However, the objections in the Office Action have been overcome.

New Claim 15: New claim 15, regarding the characteristic after the first comma, is taken from the third paragraph on page 3 of the Specification, and regarding the characteristic after the second comma is taken from the second paragraph on page 8 of the Specification.

New Claim 16: New claim 16 is based upon the last paragraph on page 4 and the first paragraph of page 5 of the Specification. Therefore, the addition is supported.

New Claim 17: New claim 17 is based upon the second paragraph on page 8 of the Specification.

New Claim 18: New claim 18 is based upon the last paragraph on page 7 of the Specification.

New Claim 19: New claim 19 is based upon the last paragraph on page 5 and the first paragraph on page 6 of the Specification.

The Applicants comment upon the prior art rejections of the claims as follows.

The present invention is directed to an adsorption filter for fuel vapors from the tank container in particular of an internal

combustion engine in particular of a motor vehicle, said filter being regenerable by desorptive countercurrent backflushing and in which the adsorptive and/or desorptive filter material has heat storing substances comprised of phase change material (PCM material = phase change material),

wherein

- different phase change materials (7', 7'') with individual phase change temperatures (conversion temperatures) are provided, which are arranged one after the other in the direction of flow through the adsorption filter,
- the phase change materials (7', 7'') are distributed in small units within the reactive filter material,
- the filter material is activated carbon, which is in the form of granules (6), whereby wax in the form of tiny sheathed beads combined to form larger pellets is added as a phase change material

(7', 7") to the granules (6) of the activated carbon, whereby these pellets contains additional filler material having a good conductivity.

The *Pittel* U.S. Patent No. 5,861,050 in column 1 in lines 5 to 10 discloses vapor recovery canisters and in particular on-board fuel vapor recovery canisters incorporating means for thermal management of a solid adsorbent during fueling and purging cycles so as to increase the respective adsorptive and desorptive capacities of the canister during such cycles.

Thus, *Pittel* fails to teach or to suggest the present invention as claimed.

The *Seki* U.S. Patent Application Publication No. US 2005/0247202 is not prior art against the present invention, because the *Seki* document was published November 10, 2005, whereas the Applicants' priority date is June 28, 2003. Thus, the

effective date of *Seki* as a prior art reference is November 10, 2005, which is subsequent to Applicants' priority date. Hence, *Seki* should be withdrawn as a prior art reference.

On the other hand, if *Seki* were to be maintained as a prior art reference, then *Seki* on Page 1 in paragraph [1] discloses a canister, i.e., an apparatus for preventing vehicle fuel from vaporizing, and an adsorbent composition used therein.

Thus, *Seki* fails to teach or to suggest the present invention as claimed.

The *Uchino European Patent Application No. EP 1, 113,163* in column 1 in lines 5 to 15 discloses a fuel vapor treatment canister which is adapted to temporarily store therein fuel vapor generated in a fuel tank and the like and to release the stored fuel vapor at certain timings to be burnt in an engine in order to reduce the

amount of fuel vapor emitted from the fuel tank and the like of a vehicle provided with the engine.

Thus, *Uchino* fails to teach or to suggest the present invention as claimed.

For all the reasons set forth above, none of the prior art references provide an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102, but is patentable under 35 U.S.C. 103 over all the prior art applied by the Patent Examiner.

Withdrawal of these grounds of rejection is respectfully requested.

A prompt notification of allowability is respectfully requested.

Respectfully submitted,  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 4, 2008.



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